



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,279	07/31/2001	Raymond Anthony Joao	RJ216	4075

7590

08/14/2002

RAYMOND A. JOAO, ESQ.
122 BELLEVUE PLACE
YONKERS, NY 10703

EXAMINER

TRAN, DALENA

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/919,279

Applicant(s)

JOAO, RAYMOND ANTHONY

Examiner

Dalena Tran

Art Unit

3661

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-20 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-4, and 11-13, are rejected under 35 U.S.C.102(e) as being anticipated by Chou et al. (6,330,499).

As per claim 1, Chou et al. disclose an apparatus for processing vehicle information and / or vehicle maintenance information, comprising: a memory device for storing at least one of vehicle diagnostic information, vehicle repair information, vehicle maintenance information, and vehicle servicing information (see column 5, lines 34-67), a receiver for receiving information regarding at least one of a vehicle problem, a vehicle malfunction, and a vehicle state of disrepair (see column 6, lines 1-19), a processor for processing information regarding at least one of vehicle problem, a vehicle malfunction, and a vehicle state of disrepair, in conjunction with at least one of vehicle diagnostic information, vehicle repair information, vehicle maintenance information, and vehicle servicing information, wherein processor generates at least one of diagnostic report, a repair report, a maintenance report, and a servicing report (see columns 6-8, lines 32-64), and a transmitter for transmitting at least one of vehicle diagnostic information,

Art Unit: 3661

vehicle repair information, vehicle maintenance information, and vehicle servicing information to a communication device associated with an individual (see column 6, lines 20-47).

As per claim 2, Chou et al. disclose processor processes information regarding a subsequent repair, a maintenance procedure, and a servicing procedure, and stores information in memory device (see columns 8-9, lines 66-27).

As per claim 3, Chou et al. disclose memory device contains information regarding at least one of a single vehicle and a plurality of vehicles (see column 9, lines 27-63).

As per claim 4, Chou et al. disclose the communication device is at least one of a personal computer, a home computer, a server computer, a network computer, a hand-held computer, a palmtop computer, a laptop computer, a personal communication device, a personal digital assistant, a telephone, a digital telephone, a display telephone, a video telephone, a videophone, a 3G telephone, a television, an interactive television, an beeper, a pager, and a watch (see columns 1-2, lines 32-2).

As per claim 9, Chou et al. disclose apparatus is utilized in conjunction with at least one of a communication network, a wireless communication network, the Internet, and the World Wide Web (see the abstract; and column 2, lines 25-43).

As per claim 10, Chou et al. disclose processor determines a feasibility of performing at least one of a repair, a maintenance procedure, and a servicing procedure, on the vehicle (see columns 6-8, lines 32-64).

Claims 11-12, and 13, are method claims corresponding to apparatus claims 1-2, and 4 above. Therefore, they are rejected for the same rationales set forth as above.

Art Unit: 3661

4. Claims 18-20, are rejected under 35 U.S.C.102(e) as being anticipated by Kolls (6,389,337).

As per claims 18-19, Kolls discloses an apparatus for processing vehicle information and / or vehicle maintenance information, comprising: a memory device for storing information regarding at least one of vehicle service providers, a provider of specialized services, vehicle parts providers, vehicle equipment providers, vehicle component providers, and vehicle accessory providers (see the abstract; columns 3-4, lines 58-37; columns 8-9, lines 43-22; and columns 12-13, lines 24-40), a receiver for receiving a request for at least one of vehicle service providers, a provider of specialized services, vehicle parts providers, vehicle equipment providers, vehicle component providers, and vehicle accessory providers, and a transmitter for transmitting at least one of user notification message to a communication device associated with a user and provider notification message to a communication device associated with a provider (see columns 27-28, lines 49-67), and a processor for processing request in conjunction with information regarding at least one of vehicle service providers, a provider of specialized services, vehicle parts providers, vehicle equipment providers, vehicle component providers, and vehicle accessory providers, wherein processor generates at least one of a user notification message to notify a user of information in response to request and a provider notification message to notify a provider of request (see columns 29-30, lines 14-41).

As per claim 20, Kolls discloses apparatus is at least one of a central processing computer, a server computer, and a network computer (see columns 5-6, lines 35-50).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5, and 8, are rejected under 35 U.S.C.103(a) as being unpatentable over Chou et al. (6,330,499) in view of Kirkevold et al. (6,263,322).

As per claim 5, Kirkevold et al. mention memory device comprises a comprehensive vehicle maintenance database (see column 4, lines 25-64; columns 9-10, lines 43-2; and columns 17-18, lines 35-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Chou et al. by mention memory device comprises a comprehensive vehicle maintenance database for rapid retrieval and display of the work history for each vehicle service, and to provide an integrated repair shop environment wherein vehicle information maybe exchanged between the interconnected equipment, databases, and management system.

As per claim 8, Kirkevold et al. mention processor initiates a communication to at least one of a vehicle computer and a vehicle electronic command computer, and apparatus uploads vehicle information from at least one of a vehicle computer and a vehicle electronic command computer (see columns 5-6, lines 8-12).

7. Claims 6-7, are rejected under 35 U.S.C.103(a) as being unpatentable over Chou et al. (6,330,499) in view of Chapin, Jr. (5,931,878).

Art Unit: 3661

As per claims 6-7, Chapin, Jr. mention processor generates at least one of a maintenance reminder message and a service reminder message, and at least one of a maintenance reminder message and a service reminder message is transmitted to the communication device associated with the individual (see the abstract; columns 1-2, lines 50-23; and columns 3-4, lines 3-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teach of Chou et al. by mention mention processor generates at least one of a maintenance reminder message and a service reminder message, and at least one of a maintenance reminder message and a service reminder message is transmitted to the communication device associated with the individual for assisting a vehicle driver to keep up with maintenance schedule to prevent vehicle parts degradation extent life of vehicle performance.

8. Claims 14-17, are method claims corresponding to apparatus claims 6-9 above. Therefore, they are rejected for the same rationales set forth as above.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

. Abe (5,758,300)

. Potts (5,922,037)

. Colson et al. (6,181,994)

. Lang et al. (6,295,492)

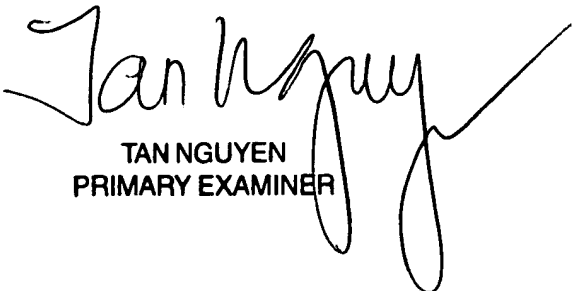
Art Unit: 3661

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 703-308-8223. The examiner can normally be reached on M-F (7:30 AM-5:30AM), off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

/dt
August 7, 2002


TAN NGUYEN
PRIMARY EXAMINER